

IN THE CLAIMS

Cancel claims 3-10 and 13 without prejudice or disclaimer, and add new claims 14-18 as follows:

1. (Original) A method of preventing charging, comprising the steps of

irradiating a sample mounted on a sample holder with a charged particle beam emitted from a charged particle beam source, and

applying a predetermined voltage to an electrode for preventing charging disposed near a surface of said sample holder to generate an induced current between the electrode for preventing charging and an irradiated area in which charging occurs in said sample, thereby executing a control of preventing said charging without contact with said sample.

2. (Original) A method of preventing charging, comprising the steps of

irradiating a sample mounted on a sample holder with a charged particle beam emitted from a charged particle beam source,

applying a predetermined voltage to an electrode for preventing charging disposed near a surface of said sample holder, and

making said electrode come into contact with said sample to generate a current between said electrode for preventing charging and an irradiated area in which charging occurs in said sample, thereby executing a control of preventing said charging.

3-10. (Canceled).

11. (Original) A method of preventing charging, comprising the steps of

irradiating a sample containing an insulating material with a charged particle beam, and

applying a predetermined voltage to an electrode for preventing charging disposed near a surface of said sample holder to thereby perform a control of preventing said charging which occurs in an irradiated area in said sample without making said electrode come into contact with said sample.

12. (Original) An apparatus for a charged particle beam, having: a charged particle source; a charged particle optical system for focusing and deflecting a charged particle beam emitted from said charged particle source; a detector for detecting secondary particles emitted from a sample irradiated with said charged particle beam; and a sample holder on which said sample is mounted, the apparatus comprising:

an electrode for preventing charging which is provided so as to be movable with respect to the surface of said sample holder; and

a controller for the electrode for preventing charging, for controlling a voltage to be applied to said electrode for preventing charging and said movement,

wherein a control for preventing said charging is performed by generating an induced current or a current between an irradiated area in said sample, which is irradiated with said charged particle beam, and said electrode for preventing charging.

13. (Canceled).

14. (New) An apparatus for a charged particle beam having:

a charged particle source, a charged particle optical system for focusing and deflecting a charged particle beam emitted from said charged particle source, a detector for detecting secondary particles omitted from a sample irradiated with said charged particle beam; and a sample holder on which said sample is mounted, the apparatus comprising:

a probe made of electro conductive material which is provided so as to be movable with respect to the surface of said sample holder;

first controller to control a voltage to be applied to said probe, and

second controller to control a location of the probe, wherein,

said controller controls a polarity of the voltage to be applied to the probe, depending on a polarity of the charge of the sample.

15. (New) An apparatus for a charged particle beam, having:

a charged particle source; a charged particle optical system for focusing and deflecting a charged particle beam emitted from said charged particle source; a detector for

detecting secondary particles emitted from a sample irradiated with said charged particle beam; and a sample holder on which said sample is mounted, the apparatus comprising:

a probe made of electro conductive material which is provided so as to be movable with respect to the surface of said sample holder;

first controller to control a voltage to be applied to said probe, and

second controller to control a location of the probe, wherein,

said second controller moves the probe to an area within 300  $\mu\text{m}$  from the irradiated area of said charged particle beam, before obtaining an observation image.

16. (New) An apparatus for a charged particle beam, according to claim 14, wherein;

said first controller applies a positive voltage to the probe if the sample is negatively charged, and applies a negative voltage to the sample if the sample is positively charged.

17. (New) The apparatus for a charged particle beam according to claim 14, wherein;

said controller controls the voltage applied to the probe within a range of -5V to +5V.

18. (New) The apparatus for a charged particle beam according to claim 14, wherein;

current is induced between the probe to prevent charging and an area of the charged particle beam is irradiated by the application of the voltage to the probe, thereby the preventing charging is realized.